

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL ERIC PRESLEY,

Defendant.

CR07-5058 FDB

ORDER DENYING MOTION TO  
REVIEW DETENTION ORDER

This matter comes before the court on the defendant's Motion to Review Detention Order. (Dkt. #15) It appears that the defendant is requesting a second detention hearing with regard to the conditions of release established in the defendant's Appearance Bond authorized by Chief Magistrate Judge J. Kelley Arnold dated January 29, 2007. The new information being set forth in the motion is that the defendant has rented an apartment so he will not need to reside in the family home and therefore can avoid having any contact with his children, stepchildren or other minors.

The Government has filed its Response to the motion (Dkt. #16) and it opposes any change in the conditions of the defendant's appearance bond.

Having reviewed the motion, response and the Pretrial Services Report, the undersigned finds that the proposal to reside in an apartment does not adequately address the concerns raised in the Pretrial Services Report or the Government's Response. The Defendant has used methamphetamine on a regular basis, has a prior drug conviction (although that conviction is quite old), has been unemployed for over a

1 year, and according to his wife has an addiction to child pornography. It is the undersigned's opinion that  
2 the recommendations in the Pretrial Services Report, which were followed in most part by Judge Arnold,  
3 are required to protect the community and ensure the appearance of the defendant at court hearings. The  
4 motion to review is the conditions of the defendant's appearance bond is therefore DENIED.

5 DATED this 15<sup>th</sup> day of February, 2007.

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9 United States Magistrate Judge  
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